Rosenman



JUN 1 0 1998

Tederal Colors of Colors Decision

TELEPHONE: (202) 463-4640 FACSIMILE: (202) 429-0046 WEB SITE: http://www.rosenman.com

June 10, 1998

Magalie Roman Salas, Secretary Federal Communications Commission Washington, D.C. 20554

Re:

MM Docket Nos. 96-7 and 96-12

(Banks, Redmond, Sunriver, Corvallis, and The Dalles OR)

NEW YORK OFFICE 575 MADISON AVENUE NEW YORK, NY 10022-2585

NEW JERSEY OFFICE ONE GATEWAY CENTER NEWARK, NJ 07102-5397

SPECIAL COUNSEL
JEROLD L. JACOBS

Dear Ms. Salas:

Enclosed for filing on behalf of our client, CBS Radio License Inc. ("CBS"), licensee of Station KBBT-FM, Banks, Oregon, are an original and four (4) copies of its "Consent Motion for Extension of Time" in the two above-referenced FM channel rulemaking proceedings.

Under Sections 1.429(d) and 1.4(b)(1) of the Commission's Rules, oppositions to the Petition for Reconsideration filed by Madgekal Broadcasting, Inc. ("MBI") against the <u>Report and Order</u>, DA 98-612, in this proceeding are due on June 16, 1998. However, counsel for MBI has consented to an extension of time until and including Tuesday, June 30, 1998, for CBS to file its Opposition to MBI's Petition. For good cause shown in the enclosed Consent Motion, CBS respectfully requests that the Consent Motion be granted.

Please direct any communications or inquiries concerning this matter to the undersigned.

Very truly yours,

Jerold L. Jacobs

Enc.

CC:

As on Certificate of Service (all w/enc.)

No. of Capies rec't Off

¹ The transfer of control of American Radio Systems and its licensee subsidiaries including American Radio Systems License Corp. ("ARSC") was effective on June 4, 1998. Also on that date, the name of ARSC, the licensee of Station KBBT-FM, was changed to CBS Radio License Inc. CBS Radio License Inc. is a subsidiary of CBS Corporation. Accordingly, CBS Radio License Inc. is the successor licensee of KBBT-FM.



JUN 1 0 1998

Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

		/00
LULIA:	COMMUNICATIONS FICE OF THE SECRE	
	CUMMING STREET	
98	FICE OF THE SECRI	CIMPLESON.
Ψ,	THE OF THE OFFI	MONCEMENT
	" OCUM	ARV

In the Matter of)	
Amendment of Section 73.202(b),		MM Docket No. 96-7
Table of Allotments,		RM-8732
FM Broadcast Stations		RM-8845
(Banks, Redmond, Sunriver and Corvallis, Oregon)		
)	
In the Matter of		
)	
Amendment of Section 73.202(b),		MM Docket No. 96-12
Table of Allotments,		RM-8741
FM Broadcast Stations)	
(The Dalles and Corvallis, Oregon)		
)	
In re Application of		
)	
Madgekal Broadcasting, Inc.		File No. BPH-960206IE
Station KFLY(FM), Corvallis, Oregon)	
)	
For Construction Permit to Modify)	
Licensed Facilities (One-Step Upgrade))	

To: Chief, Allocations Branch Mass Media Bureau

CONSENT MOTION FOR EXTENSION OF TIME

CBS Radio License Inc. ("CBS"), licensee of Station KBBT-FM, Banks, Oregon, by its attorneys, hereby presents a Consent Motion for Extension of Time until June 30, 1998 to file an

The transfer of control of American Radio Systems and its licensee subsidiaries including American Radio Systems License Corp. ("ARSC") was effective on June 4, 1998. Also on that date, the name of ARSC, the licensee of Station KBBT-FM, was changed to CBS Radio License Inc. CBS Radio License Inc. is a subsidiary of CBS Corporation. Accordingly, CBS Radio License Inc. is the successor licensee of KBBT-FM.

opposition to the Petition for Reconsideration that was filed in the above-captioned proceeding by Madgekal Broadcasting, Inc. ("MBI"), licensee of Station KFLY(FM), Corvallis, Oregon. In support of CBS's Motion, the following is shown:

- By Report and Order, DA 98-612, released April 3, 1998, the Chief, Allocations Branch of the Commission's Mass Media Bureau rejected a proposed settlement agreement filed by ARSC and MBI in this proceeding and, inter alia, amended the FM Table of Allotments by modifying Station KBBT-FM's license to specify operations on Channel 298C1, instead of Channel 298C2, at Banks, Oregon, and by allotting Channel *268C3 to The Dalles, Oregon. On May 19, 1998, MBI filed a Petition for Reconsideration which urges that the settlement agreement should have been approved by the Commission or, alternatively, that, instead of the Banks and The Dalles allotments, the Commission should have modified Station KFLY(FM)'s license to specify operations on Channel 268C, instead of Channel 268C2, at Corvallis, Oregon. A summary of the Report and Order was published in the Federal Register on June 1, 1998 (63 Fed. Reg. 29735), so that, under Sections 1.429(d) and 1.4(b)(1) of the Commission's Rules, CBS may file an opposition to MBI's Petition on or before June 16, 1998. Counsel for CBS has contacted counsel for MBI, and counsel for MBI has consented to an extension of time until and including Tuesday, June 30, 1998 for CBS to file its Opposition to MBI's Petition.
- 2. The reasons for the requested extension of time are that MBI's Petition and accompanying exhibits are more than 100 pages long, the filing raises a number of legal, procedural, and technical engineering objections to the Report and Order that require detailed analysis, and CBS has only been the licensee of Station KBBT-FM since June 4, 1998 and,

therefore, needs more time to familiarize itself with the issues raised and to formulate an

appropriate response. The requested 10 additional business days will give CBS and counsel a fair

opportunity to develop their positions and provide a comprehensive response to MBI's Petition.

Accordingly, CBS urges that the Mass Media Bureau's grant of this Consent Motion will serve

the public interest.

WHEREFORE, in view of the foregoing, CBS respectfully requests that the date for filing

an Opposition to the Petition for Reconsideration in this proceeding be extended to and including

June 30, 1998.

Respectfully submitted,

CBS RADIO LICENSE INC.

Jerold L. Jacobs

ROSENMAN & COLIN LLP

1300 - 19th Street, N.W. Suite 200

Washington, D.C. 20036

(202) 463-4640

Its Attorneys

Dated: June 10, 1998

-3-

CERTIFICATE OF SERVICE

I, Dolly M. LaFuente, do hereby certify that on this 10th day of June, 1998, I have caused to be mailed, or hand-delivered, a copy of the foregoing "Consent Motion for Extension of Time" to the following:

John A. Karousos, Chief*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 554
Washington, D.C. 20554

Andrew J. Rhodes, Esq.*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 542
Washington, D.C. 20554

Ms. Leslie K. Shapiro*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 564
Washington, D.C. 20554

J. Dominic Monahan, Esq.
Luvaas Cobb Richards & Fraser, P.C.
777 High Street
Suite 300
Eugene, OR 97401
COUNSEL FOR COMBINED
COMMUNICATIONS, INC.

Roger J. Metzler, Esq.
McQuaid Metzler McCormick & Van Zandt
221 Main Street
16th Floor
San Francisco, CA 94105
COUNSEL FOR HURRICANE
COMMUNICATIONS, INC.

Donald E. Martin, Esq.
Donald E. Martin, P.C.
P. O. Box 19351
Washington, D.C. 20036
COUNSEL FOR LIFETALK
BROADCASTING ASSOCIATION

Matthew H. McCormick, Esq. Reddy, Begley & McCormick 2175 K Street, N.W. Suite 350 Washington, D.C. 20037-1803 COUNSEL FOR MADGEKAL BROADCASTING, INC.

Dolly M. LaFuente

*BY HAND